IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 12TH DECEMBER 2006 / 21ST AGRAHAYANA 1928

W.A.No.2315 of 2006

AGAINST THE JUDGEMENT IN W.P.(C).31707/2006 DATED 30/11/2006

APPELLANTS: PETITIONERS:-

1. V.P.USHA, W/O. LATE P.D.SUDHI,
   PULLARKKAT HOUSE, CHOWARA, ALUVA.

2. P.S.JIBIN, S/O. LATE P.D.SUDHI,
   PULLARKKAT HOUSE, CHOWARA, ALUVA.

BY ADV. SRI.T.SETHUMADHAVAN
SRI.PUSHPARAJAN KODOTH
SRI.K.JAYESH MOHANKUMAR

RESPONDENTS: RESPONDENTS:-

1. THE REGIONAL TRANSPORT AUTHORITY,
   REPRESENTED BY ITS SECRETARY, ERNAKULAM.

2. THE REGISTERING AUTHORITY,
   SUB-REGIONAL TRANSPORT OFFICE, ALUVA.

3. AJITH KUMAR P.,
   LAKSHMI NILAYAM, NEDUMBASSERY P.O.,
   ERNAKULAM.

4. WIN MANJOORAN,
   MANJOORAN HOUSE, KALLUNGAL LANE,
   KAZJID JUNCTION, ALUVA.

R1 & R2 BY GOVERNMENT PLEADER SRI.G.P.HOOD.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 08/12/2006, THE COURT ON 12/12/2006 DELIVERED THE FOLLOWING:

V.K.Bali,C.J. & S.Siri Jagan,J.

W.A.No.2315 of 2006

Dated, this the 12th day of December, 2006

JUDGMENT

V.K.Bali, C.J.

P.D.Sudhi purchased a Mahindra Scorpio vehicle on 28.8.2006. He was desirous of getting a fancy registration number. He had prepared and signed an application for bidding the fancy number, but before he could present the same before the competent authority, he died. Wife and son of P.D.Sudhi found that application for grant of fancy number and presented it before the competent authority. However, when the matter came up for consideration, others, who too were desirous of getting fancy number, objected to consideration of the application signed by Sudhi for grant of such a number. When the application signed by Sudhi, which was presented by his wife and son, was not considered for the grant of fancy number, petitioners - the wife and son of Sudhi - filed writ petition for consideration and grant

of fancy number to the vehicle Mahindra Scorpio. Learned Single Judge dismissed the writ petition vide order dated 30th November, 2006. It is against this order that the present appeal has been filed.

2. It is not in dispute that before the application prepared and signed by Sudhi was presented by him, he died. We do not find any illegality or infirmity in the view taken by the learned Single Judge that there was no proper application before the authority concerned which could be considered. Surely, a fancy number could not be allotted on the basis of the application submitted on behalf of a person already died. No occasion arises to interfere with the order passed by the learned Single Judge.

There is no merit in this appeal, which is hereby dismissed.

V.K.Bali
Chief Justice

S.Siri Jagan
Judge

vku/-